App. F. IX-4

1924.

File No. 201-24

Previous References
Mrz 135-42 Secr. I
" " II

(Mrz)

Serial Nos. 2 -

Later References
Mrz 45-31-(1-2)
LR 212-41 (1-2)
Mrz 105-54-1-5

(46)

General and Revenue Secretariat.

Serial Nos. 5

Part B for Mrz 1926

SUBJECT

Appeal petition from Syed Peer Ghayat Sha Khadri praying that the Mrz. Commr's order directing the election be stayed pending disposal of the appeal re management of the Kesavanadu Dargah in the Trichinopoly District

MR-16 date 5
6.7.26.

To the Mrz. Comr.

The appellant's claim to be appointed as manager of the Institution cannot be recognized and the appeal is dismissed

G. R S. 11] 1924

GENERAL AND REVENUE SECRETARIAT.

Inuzrai

NOTES.

File No. 201/1924

FILE HEADING.

Management of the Darga in Kesarmadu Village in the Tumkur Taluka.

From

Syed Peer Gazab Sha Khadri.

No. Dated 20-1-1923 Received 22-1-23

Diary No. 1232	Enclos. 1 Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appeals against the Inuz. Comrs. order direction that a Patel be appointed to look after Darg lands, that a Set of Nazirine-on-koffs be appointed once in 3 years. The Selection being by votes from

NOTES AND ORDERS.

all the devotees of the Darga and a Scale of expenditure fixed, and prays that the Inuz. Comrs. order directing the election be stayed pending disposal of the appeal. The petition is duly stamped. A copy

NOTES—First Sheet.

Sec. No.

of the Muz. Comr's order appealed against, is produced. The appeal is in time, the Muz Comrs' order having been passed on 6-1-1925. This case is dealt with in Muz. J. no. 98-23. and the facts are noted in the office note therein.

I.

2) The power produced with the appeal is unstamped, and if directed, it may be returned to the Advocate for getting it duly stamped, before the appeal is dealt with.

Submit for orders. —

AV 23-1-25.

3) A stay order has been asked for.

23.1.25

Mear on the file 23.1.25.

4) The endorsement on the petition may be signed for issue.

Submit.

AV 23-1-1925.

No 1104/two. Returns petn for stamping the Vakkalat. ~~The Advocate says~~

5) The Adv. says that Barristers are exempt from affixing stamps to their Vakalat.

6) Orders Solicitor. A stay order is ~~ordered~~ prayed for.

Submit

MV 24-1-25. 24-1-25

7) no appeal is against paragraph 2 of the Mamlatdar's order. If as it states the opposite petitioner, the appointment is hereditary in his family, the Mamlatdar's order would not be correct. The records have been received in connection with paragraph 3 of the Mamlatdar's order. When that question is disposed of, this case will be ready for upon with reference to the records as to how far the contentions of the petitioner are tenable. Meanwhile a stay order may perhaps be issued as prayed for.

Rev. Secy.

5-86
26.1.25

II

8) The case may be noted as stay until reply to his records which is said to have been sent. Submit for stay.

9) As the date prescribed for Election is over, I see no use in issuing a stay order now as prayed for by petr.

10) Put up with the Assst Secretary.

11) Put up F. 201-24 to Secretary.

NOTE—Contn Sheet

Serial No.

11) As directed by the Assistant Secretary, the records were looked into.
In the Darga at Kesarmadu, the remains of Syed Momin Basha Khadri are interred. The descendants of the Saint have been, it is stated, managing the affairs of the Darga, and performing the duties and services such as urus, sandal, celebration of Moharam etc.
12) The Taluk Amildar who visited the village and held personal enquiry, reports that the management of the Darga is vested from the commencement in the Khadri family.
13) The Dy. Comr reports that the grant in the 1st instance was for the personal benefit of the Saint - Syed Momin Basha Khadri - that the Darga was built after his demise; and the village was endowed as inam, and that the descendants of the Valli attended to the support of the Darga etc.
Submitted for orders.
AH 7.2.25 7-2-25

14) Please put up the papers re. the taking

Serial No.

now the village under Govt. management & the order passed thereon in 1906. That I believe will be the proper way to dispose of the case. (Write 3 days).

10/2/25

15) Two collections of Inam. F. no. 135 of 1892 are submitted and the G.O. of 1906 is flagged A,

The aplts. main contention is that his family has been managing the Darga hereditarily for upwards of 100 years.

b) In his petition dt 10-10-1903, Syed Mahomed Sha Khadri bin Syed Murtuza Bad Sha Khadri (and mother of the present aplt Syed Peer Gayab Sha Khadri) alleges that under no 92 dt 5-7-1860 passed by major Dobbs, the then Dy Comr of Nellore gives the office of the Manager of the Village and Darga to the family of his father. (Neither the original nor a copy of this hukum is available in the record). In his Kyphiyat dt 8.5.1922, Syed Mahomed Sha Khadri while stating that the Darga managership has been vested in his family, prays that it may be confirmed upon him.

B, (135 of 1892-3)

C, (Genealogical tree).

General and Revenue Secretariat. | File No. of 19

H

Serial No.

17) From the Comr's letter no 406 dt 3-12-1923, it is seen that both the brothers — Syed Mahomed Sha Khadri and Syed Peer Sayab Sha Khadri along with 30 others stood for election, but one Syed Mohiuddin Baba Sha Khadri who secured the largest number of votes, was appointed as manager of the Darga temporarily.

Submit.

10.2.28.

18) Subs with respect to the Govt's order in page 3 supra. The vernacular recn received from the Hnr Comr with respect to para 3 of his order are in the Govt file, and the subject matter of that reference has also been fully noted upon in that file. (The Hnr Comr's office records relating to this appeal are not here).

19) The old history of the Kasar Darga and its endowment is succinctly stated in the note in file No 135 of 1906 herewith put up & flagged B1. The affairs of the institution were poorly mismanaged and the institution as well as its endowments were taken under Govt's management

in 1906 (Ex A1). It was distinctly stated in that order that there was none competent in the family who could be appointed manager. So the appointment vested entirely in the hands of the Dy Comr, and the family cannot claim it as a matter of right. What happened subsequent to the assumption of management by Govt is summarised in paras 16, 17 & 18 in Mur File No 98-23 (Hagg 2). The appellant is the man removed by the Dy Comr, and the respondent is the ~~opp~~ man appointed by them, but the appointment of the latter is not approved by the Mur Comr (vide copy of the order produced). There is thus really no respondent in the case except Govt.

20) The Mur Comr has ordered
(1) the appointment of a Sub of Dharmadarshi for the ~~Darga~~ management of the Dargah for 3 years, selection being made by lots.
(2) the appointment of a separate Patel to look after the revenue & police duties of the village.

Arg (1) The appellant contends that his family have been Mathadhipathis, and that they have been managing the Dargah for more than 100 years, and that it is a family trust. Govt took over

Serial No.

the management of the institution because it was mismanaged by the family of the appellant. There was no competent person either who could be appointed manager of the institution. By this order the right of appointment a manager or a set of managers vested with the Govt. It is true that the appellant was appointed Patel & manager by the then Dy Comr & continued till his removal. But that was not on consideration of his family claim, and it cannot create a claim. In any case, the appointment has again been a failure. Govt, having the full right of appointment, the Hon'ble Comr's order directing the appointment of a set of Dharmadarsis, I am aiming the Govt by votes seems quite correct. This appoin is not the first time that a Committee was appointed to supervise the affairs of this institution (vide letter of the Dy Comr dated 27th Aug 1883). So far back as 1860 Col. Dobbs appointed a Committee of 5 men to look after the affairs & its state in the text that the Deng as they lived every thing was going on regularly.

As regards the appointment of a separate Patel for the village, it is quite necessary for the benefit of the

Serial No.

22) But the only point to be considered, which has been omitted in the Revn Court's order, is as to who shall actually perform the work in the Dargah. The Dharmadarsis can supervise the affairs. But the right of actual performance of ceremonies seems to vest in the family only. ~~and cannot be~~ In the interests the appellant, who has been performing them from 1906 may be given a chance, subject to the supervision by the Dharmadarsis, and on payment of a fixed cash remuneration to be fixed in the scale of income & expenditure.

23) As regards the Patelship, ~~it~~ appointment, it seems to be desirable to have an independent of the body of Dharmadarsis for collection and other work. In this matter also the ~~Rev~~ Revn Court's order seems to require no interference.

24) The appointment of a person for the actual performance of ceremonies is the only point on which orders seem to be called for in modn of the Revn Court's orders.

12 2 25

16 2 25

Rev - Secy

362/162 II Mr

25) The case may be posted for hearing on 16th March. The parties given notice.

19/2

NOTE—Contn Sheet

After issue of notice, the Hindu may be asked for orders

General and Revenue Secretariat. | File No. 201 of 1924,

Serial No.

26) (1) (2)
Dir. notices submitted. May the appeal petition be forwarded to the Insp. Genl and that officer asked to send up record with a report before the date of hearing?

19.2.25.

27) (1) Issue. (2) Make some.
19.2.25.

28) Notices were issued yesterday Dir. to Insp. Genl. Submitted for appl

26.2.25.

29) Done
26.2.25.

3 To the Manager Commn. No. 1244 dt 27.2.25. Pls. the above petition free early report with records before the passing.

4. From, The Insp. Genl
Letter no. C.1056 dt 6/3/1925.
Submits the report & the records called for in 5.3.

31) The case is adjourned for hearing on the 23rd instant.
Submit. for orders.

13/3/25.

NOTE—Contn. Sheet

11

G.R.S. III-2]

File No. 20 of 19

General and Revenue Secretariat

Serial No.

32) Mr B [illegible] who has been engaged by this applt has requested for an adjt on the ground of illness. Adjd to 28th April accordingly

33) Mr N Varghese who appears for respt is informed

23/3/25

34) Case called

Both parties present with their advocate who were heard. Order reserved

25/4/25

General and Revenue Secretariat.

File No. 281 of 1[illegible]

Serial No.

35) The question of the management of the Dargah at Khetgaranwadi [illegible] Endowment has been [illegible] Complaints [illegible] their [illegible]

36 So far back as 1881, the [illegible] payable for [illegible] having [illegible] among the [illegible] [illegible] 75 [illegible] Sering [illegible] was made in for [illegible] in Aug 1883 ~~[illegible]~~ [illegible] 4 shares among 15 [illegible] ~~[illegible]~~ ~~[illegible]~~ ~~[illegible]~~ [illegible] has been previously appointed for the Dargah [illegible] recommending the appointment of Syed Ali [illegible] Shah Khadim [illegible] Sadoba [illegible] as Joint manager [illegible] in the shareholders [illegible] in their order of 21st Aug 84. There two persons [illegible] each share [illegible] Syed [illegible] shares [illegible] recommendation [illegible] manager for [illegible] In 1893, there was a petition [illegible] [illegible] has [illegible] [illegible] Sing

NOTE—Contn Sheet

Serial No.

[illegible]

37) Notwithstanding the clear direction contained in the above order of Govt. [illegible] the institution with of Endowments still has taken under Govt. management [illegible] appear [illegible] [illegible] [illegible]

General and Revenue Secretariat.

File No. 20 | of 1924

Serial No.

38

[illegible]

[illegible] report submitted by the D.C. with his letter dt. 2-11-24 recommending the opinion of the Resp. Sub-Divisional Officer that [illegible] practice [illegible] in management of [illegible] be kept separate from that of [illegible] for [illegible] [illegible] [illegible] of electric from [illegible] in [illegible] Dorsa, [illegible] for [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] village. With reference [illegible] has been reported by the D.C. [illegible] dt. 22-12-25 that the electric [illegible] on 22-1-25 [illegible] for the electric [illegible] none [illegible] [illegible] [illegible] in other parts which were [illegible] the electric [illegible] [illegible] permanent [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

it very desirable that the management of the temple should be in the hands of one of the Electors [illegible] of the Sanātana Dharma. That the appointment of a Committee to assist the manager in the work of the temple should be made with the Bandhu [illegible] from the Electors with the unanimous consent of all the Descendants of the original Sanātana with the exception of the temple priests. Sri Gopala Sha Khadu is a hereditary [illegible] who is in every respect a competent person and is well versed in the rights of the lands attached thereto. He may be appointed as permanent sole manager thereof.

3) That the accounts be agreed with the person of the Dharma that is since desirable or practicable in the circumstances of this case to entrust the management of the Dharma to a Committee of Dharmadarsis ~~[illegible]~~.

G. R. S. III-2]

General and Revenue Secretariat.

Mey File No. 291 of 1911

Serial No

[illegible]

Sir Monteith Gordon K.C.S.

Esq

NOTE—Contn. sheet

I think the Planner is neither entitled nor
as manager of rights — owner!
nor as the agent of the ~~[illegible]~~ a local Planning Authority
in regular conduct, if he preserves silence
on the application and the proposal of the
landlord is done without a view
advantage of the world. The ~~[illegible]~~ will
have no power to lease out or dispose of
the landlord's property in the local Planning Authority; and
the Darga within the sanction of the ~~[illegible]~~
Planner municipal rules a marking statement.
I recently notified enforcement hence cases forwards
~~[illegible]~~ set up in a D.C with his remarks

41) The D.C ~~[illegible]~~ should mean similar
~~[illegible]~~ instructions he issued not ~~[illegible]~~ in
Erosion thus the action should not be
strictly enforced.

42) ~~[illegible]~~ In the circumstances explained
above the applicant's claim for a
re appeal as manager of the world cannot be
recognised & his appeal is dismissed

3.5.26

AV 15/5

15/5

General and Revenue Secretariat

File No. of 192

Serial No.

Mr. A.V.
Please bring up.
28/5

Matter upon the Assn Secretary submitted
AV 29.5.26
4.7.4
1.6

Off. order submitted, for approval.
27.5.26

Rev. Secy

27/5

2nd member)

31.5.26

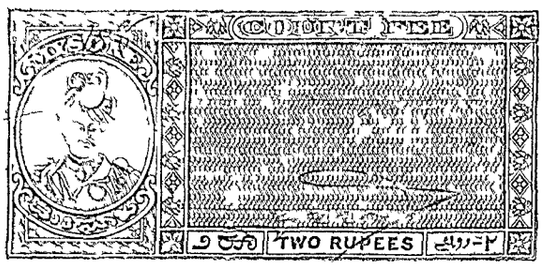
Appd
12/6/26

1.8.26

6. To, mur Commr No 16 of 6.7.26. states that for reasons given the applt's claim to be appointed as manager of the instn cannot be recognised & that his appeal is dismissed

9/7

NOTE—Contn Sheet



Petition Box
1/1/25

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, BANGALORE

Muzarai Appeal No. of 1924- 1925.

Appellant:-

Syed Peer Gayab Sha Khadri,
Kyasaramadagu Village, Tumkur Taluk.

---Vs---

Respondent:-

Syed Mohiyuddin Badsha Khadri.

UNDER SEC. 21 or 22 OF THE MUZARAI REGULATION.

The appellant above named begs to prefer this petition against the order of the Muzarai Commissioner dated 6-1-1925 for the following among other grounds:-

1. The learned Muzarai Commissioner erred in law in ordering the appointment of Manager - to be made by the system of votes being taken.

2. There is no provision in law for such a course being followed. The Darga in question is a "Matha" and the family of the appellant have been "Mathadhipathies" and the procedure with regard to "Matha" apply.

3. The family of the appellant has been managing the Durga hereditarily for upwards of 100 years and no grounds are shown to exist - why the appellant and his family should be deprived of their Hak and this procedure should

should be followed.

4. The learned Muzarai Commissioner has erred in law in following the recommendation of the Deputy Commissioner which is illegal and Ultra Vires.

5. The learned Muzarai Commissioner erred in law in ordering the appointment of a separate patel to look after the management of the lands and other duties.

6. The decision of the Muzarai Commissioner is otherwise opposed to law.

Wherefore the appellant prays that the order may be set aside and since the Deputy Commissioner, Tumkur District has issued a notice calling upon the voters to vote for the manager at Desaramodugu Village on the 22nd instant, it is respectfully prayed that, since the order appealed against is illegal and Ultra Vires, the election may be stayed pending disposal of this appeal.

Bangalore.
20-1-1925.

B. N. V. Deva.
COUNSEL FOR APPELLANT.

No 1104/Muz Ence Tuo.
The appeal petition is returned as the Vakalat is unstamped.

Attention is ~~kindly~~ drawn to Govt Notn No. 110 ~~dated~~ 15/8/1884 vide p. 10. Civil Digest 1917 under which Barristers are exempt from paying Court Fee Stamps Vakalats - BN

Bangalore 28/1/1925

Muzarai
for Secretary to Gov. Revenue Dept.

Before the Civil Court of Mysore Bangalore

In the Court of

Murari appeal of 24-28

Appellant- Syed Peer Gyeb Sha Khadri

Vs Respondent Syed Mohadin Badsha Khadri

VAKALATNAMA

executed by Appellant in favour of

Mr. B. N. VIJAYA DEVA, M.A., Barrister-at-law, Advocate, High Court of Madras & Chief Court of Mysore.

I hereby empower the said advocate, in person or by proxy, on my behalf, to appear in, and conduct the above case, as well as any proceedings arising out of and connected with the same, to compromise the same, and to do all such acts as may be proper and necessary for the due conduct thereof, including the signing and presentation in Court of the necessary petitions and papers.

And I further authorize the said advocate to receive and give receipts for, any money, document, or other moveable property, that is or may become, payable or deliverable to me in the course of the said case or proceedings.

20-1-1925

Syed Peer Gyeb Shah Khadri)

I know the executant who has signed before me.

B. N. V. Deva

Accepted.

B. N. V. Deva

COURT FEE EIGHT ANNAS

COURT FEE EIGHT ANNAS

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE
NO ....
DATE ....
CALCULATOR

Order of the Muzrai Commissioner in Mysore

Subject:- (petition (appeal No 5 of 24-25 presented on 24.7.24) of Syed Peer Eggel, Shankhadri Syed Amir Badsha Khadri and Syed Mohamed Badsha Shankhadri of Kosarmadu village, Tumkur Taluk in the matter of the appointment of their opponent Syed Mohadin Badsha Khadri of the same village as manager (temporary) of the Dargah in the village.

Facts of the case

In this office No C 645 of 22-23 (R Dis No 150 of 22-23) dated the 18th August 1923, the nomination of the respondent Syed Mohadin Badsha Khadri as manager of the Dargah by the Deputy Commissioner was approved as a mere temporary measure, pending the submission of proposals with a proper scheme of expenditure for the Dargah and the management of the lands and

Dargah being Nasfel Separate. The present petitioners having gone up in appeal to Govt against the above appointment, Govt observed in their order in Muthrai appeal No 5 of 23-24 that this Office order was an adinterim and temporary one made on the recommendation of the Dy Commissr and it was open to the appellants to apply to the Muthrai Commissioner for a reversal of his after hearing them. It is in pursuance of this order that the petition now under disposal has been filed. It is urged in this petition that the petitioners family are the managers of the Dargah and its endowments for over 100 years, that the Inam Commissioner confirmed the endowment in 1870 in the name of Mirtuza Syed Shakadri - the father of the 1st petitioner, Syed peer - Syed Shakhadri, that this Syed peer Syed Shakhadri is managing the institution for upwards of 25 years and that the institution which is auto established one like a Mutha is with its endowments managed by the ancestors of the petitioners

and the petitioners themselves hereditarily from generation to generation and as such there is no reason to disturb the 1st petitioner from the management ship till he is declared incompetent after due enquiry. In submitting the records with his No AC 64 of 24-25 dated 10th November 24 the Dy Comr reports that according to the Inam Register etc is not only the 1st petitioners fathers enjoyment of the Inam village that has been confirmed but also that of his co-shares among whom Syed Mohadin Bud Shakkadri the respondent and his decendants are included and therefore the respondent cannot be said to be a foreigner not entitled to manage the affairs of the village. The petitioners and the respondents who were pressed with their respective — counsel were heard on 28-12-24

Order No R Dis 127 of 24-25 dated Bangalore 6/2/25

As already ordered in this Office No C645 of 22-23 dated the 16th June 23

the management of the lands must be kept separate from that of the Durga. For the latter a set of Dharmadarsis or Nazare Devkotas should be appointed every 3 years, the selection of these being by votes taken from among all the devotees of the Durga and a scale of expenditure should be drawn up and submitted early for sanction.

2 As for the management of the lands arrangements may be made as in Govt. villages, by appointing a patel who will look after both Revenue and Police duties in the village.

3 With regard to the question of allowing the makandars to enjoy rent-free of the Inam lands in their holding, a reference is being made to Government.

4. The Deputy Commissioner is requested to take early action accordingly.

Sd) R Chandy
Deputy Commissioner

Copy applied for 3-1-25
copy ready 7-1-25
date of delivery 8-1-25
No words 609
Copying fees 0-14-0
Paring fees 0-2-1

G. R. S. VI-G-32]

SUBJECT

Diary No. of letter replied to

General and Revenue Secretariat

( )

, the 192

Date of issue 27.2.25

Signed by Mr. T. R.

Section Miscy.

File No. 201-250

Serial No. 6

No. 1244
Three

To The Inmz. Cmr.

Sir,

I am directed to forward herewith petition regd. no. 1234 dt. 20-1-1925 from Syed Peer Gayab Sha Khadri of Kesarmedu Village, Tumkur Taluk, appealing against your order directing the appointment of a Patel to look after the lands endowed to the Darga in the Village, and also for a set of Nazirship on Kots etc., and to request that you may be so good as to submit a report therein with all the connected records & the enquiry. I am

over

as the appeal is posted
for hearing on the 16th proximo,
the records with the lower report
may kindly be sent so as
to reach this office not later
than the 10th ~~[illegible]~~ p.m.

I have etc.

[illegible] 26/2/15

[illegible] Rao Secretary.

No. C1056 37177 Office of the Muzrai Commissioner in Mysore.
m.25 Curs. 1 file 82

Dated Bangalore, 5th March 1925.
6th

From

C. S. Balasundaram Iyer, Esq., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

7-MAR 1925
MUZRAI

To

C. V. Anantaraman, Esquire., B.A.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department.

Dm. 17-7-2
Mur 201-24-4

Sir,

With reference to your letter No.C.1056 of 24-25 dated 27th February 1925 forwarding petition (P) of Syed Peer Gayab Sha Khadri of Kesarmadu village Tumkur Taluk appealing against this office order in the matter of appointment of a Patel to look after the lands endowed to the Darga in the village and a set of Nazarine-a-Owkaff for the management thereof, I have the honor to submit the records of this office pertaining to the case. The records received from the Deputy Commissioner connected with the subject have been submitted to you with this office letter No.R.Dis.127 of 24-25 dated 6th January 1925.

2. The facts of the case are fully set forth in the preamble to this office order R.Dis.127 of 24-25 under appeal.

3. The petition and its enclosures received with your letter under reply are returned.

4. The Deputy Commissioner's subsequent communications Nos.J.P.R. 402 of 24-25 and H.C.64 of 24-25 dated 19-1-25 and 29th/31st January 1925 respectively urging (m) for consideration certain modifications in the order are also herein enclosed.

I have the honor to be,
Sir,
Your most obedient servant,

C. S. Balasundaram Iyer
Muzrai Commissioner.

KSR.

142

Bangalore
23.3.25

24

I am informed that Mr. B. N. Vijayatunga has been suffering from fever for the last 4 days and he will not be in a position to attend the court for 4 days more.

Particularly.
P. G. C. P. S.
D. P. H.; D. T. Mr.

The Bench-clerk,

Dear Sir, Kindly represent to the Court that I am down with illness & hence enable to argue the appeal to-day. I pray for an adjournment of the appeal. Thanking you, Yours Truly

B N Vijaya Delta

H. V. NARAYANA RAO,
B. A., LL. B.,
High Court Advocate.

COURT FEE
TWO RUPEES

Before the Government of Mysore

~~In the Court of the~~

at Bangalore

23

App. No. 3 of 1924 - 1925

Dt. 1538

Appellant, Plaintiff, Petitioner,		*Respondent, Defendant, Opponent,*
Syed Peer Syab Shaukadri	vs	Syed Mohadeen Bad Shakhadri

The Respondent above named do by these presents, retain

Mr. H. V. NARAYANA RAO. B. A., LL. B.,
Advocate, High Court, Bombay and Chief Court, Mysore,

to appear and conduct the above case on my behalf to Judgment. I further empower him to execute any decree or order that may be passed in my behalf and to receive from the Court such sums of money as I may be entitled to get and grant receipts therefor.

Also undertake to confirm and ratify all the legal acts done by the said Advocate or by his proxy in so doing.

(Syed Mohadeen Bad Shakadri)

Presonally known to me and signed in my presence

H.V.

Accepted.
H. V. Narayana Rao
Counsel for Respt
15/3/25

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

O. A petition presented by Syed Mohiuddin Dadkhah respondent in the Kesarwadi Dargah Case is herewith for orders. The Case has been heard by the Vice-Member, but the costs have not yet been passed. He says that the Moharrum is fast approaching, and that the appellant in the Case might obstruct the Conduct of Ghusl & other Ceremonies. He requests that ~~the judgment~~ pending the decision of the Case by Govt he may be permitted to Conduct the Ceremonies himself as he did last year under the orders of the Dem Comr.

16.7.25.

Vice Member)

392/16.7

This may be placed on the file immediately before the Comr

16/7

N.B. Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G R.S [11—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for **permanent record.**]

N B **Should routine notes be written on small slips, the notes must be copied or slips pasted on this form**

To

The Prime Minister of Council
Bangalore.

From Syed Mohiyuddin Pasha Khadri
Kasermadu
(Tumkur Dist)

Most Respected Sir,

I, the undersigned manager of Kasermadu most humbly beg to bring the following few lines to your kind consideration hoping to come out successful in the attempt.

In connection with the managership of Kasermadu, I beg to state that Syed peer gaib Shah Khadri had appealed against me. The hearing was on 28-6-25. But the judgement was postponed and not yet announced.

As the Mohorram festival is approaching nearer within a week and as the conduct in the month of August it is feared that again Syed peer gaib Shah Khadri will approach the authorities with a petition praying for the suspension of the conduct of Mohorram and as he did as he had done in the previous years.

In his order No C.C. 118/24-25 of 19-8-24 the Amildar Tumkur Taluk in obedience to the Deputy Commissioners orders and consequent Deputy Commissioners order No Mc. 64 of 10.8.24 had kindly permitted the conduct of Mohorram & as last year taking no challenge from the appellants not to disturb its conduct.

P.T.O.

Under the circumstances I pray that you may be kind enough to permit this year also to conduct the same peacefully till the Govt. judgement is finally announced.

For which act of kindness I shall ever pray for your long life and prosperity:

I beg to remain
Most Respected Sir,
Your most obedient Servant

D/ 16th July '26
Kasaragodu.
(Tumkur Dist)

منیجر سید فخر الدین بادشاہ قادری

Received in person on. 25. 7. 25

Before the government of the H. H. the Maharaja of Mysore — Bangalore —

Muzrai appeal No. 3 of 24-25 —

Appellant		Respondent
Syed Peer Ayub Sha Khadri	vs	Syed Mohadin Khadsha Khadri

ಸಿದ್ದಿ ಇಲಿ ಸಿದ್ದಿಗೆ ಬಾ. ಖಾದ್ರಿ ಬಳಿಯವರಿಂದ ಅರ್ಜಿ ಬಂದಿದೆ.

ಇಂಥ ಸಿಲ್ಲೆಯ ಕೆಲವು ಮುಖ್ಯ ಕಸ್ಬಾ ಊರುಗಳಲ್ಲಿ ಮುಂದೆ ಕುಟ್ಟ ಅಂತಾಂದರೆ ಕೆಲವು ವಿಚಾರಗಳು ಸದರಿ ಕಾಗದದಲ್ಲಿ ಅಲ್ಲಲ್ಲಿ ಅಲ್ಲಿ ಕುರಿತು ಅಂಥ ಸಂಬಂಧಿಸಿದಂತೆ ಅಂತಾ ವಿರುದ್ಧವಾದಂಥ ಅಭಿಪ್ರಾಯ ಅನ್ನುವದು.

ಇಂಥ ಸ್ಥಳಗಳು ಕುರಿತು ಸದರಿ ಸಿಲ್ಲೆಯಲ್ಲಿಯಾದ ಅಂದರೆ ಕುರುಗಾಲು 25 ವರ್ಷದ ಸಮಯದಲ್ಲಿ ಕೆಲವು ಅಲ್ಲಿಲ್ಲಿ ಸ್ವತಂತ್ರ ಪಡೆದುಕೊಂಡಿದೆ ಅಂತಾ ಅಲ್ಲಿ. ಇದೆಲ್ಲಾ ಸರ್ಕಾರದವರು ಗಮನಕ್ಕೆ ತಂದ ಮೇಲೆ ಸರ್ಕಾರದವರು ಇದರ ವಿಷಯ ಕೆಲವು ಮಂದಿ ಸಲಹೆಗಾರರ ಸಲಹೆ ಕೇಳಿದರು ಅಂತಾ ಅಲ್ಲಿ. ಇದೆಲ್ಲಾ ಸರ್ಕಾರದವರು ಸಲಹೆಗಾರರ ಸಲಹೆ ಕೇಳಿದ ಮೇಲೆ ಸರ್ಕಾರದವರು ಈ ಮೇಲೆ ಹೇಳಿದಂಥ ಸಂಬಂಧಿಸಿದ ಸಿಲ್ಲೆಯ ಕಲೆಕ್ಟರ್ರವರಿಗೆ ಸಂಬಂಧಿಸಿದ ಹುಕುಮ್ ಕೊಟ್ಟಿದ್ದಾರೆ. 26-7-1925 ರಲ್ಲಿ ಅಂದರೆ 1-8-250 ರಲ್ಲಿ ಸರ್ಕಾರದವರು ಈ ಮೇಲೆ ಹೇಳಿದ್ದಂಥ

నా తీర్థయాత్రలు. నేను పంపించిన నా తీర్థయాత్రలు. నాకు తెలుసు నా తీర్థయాత్రలు బంధువులు అందరికీ పిల్లలకు పిల్లలకు విభజించబడినవి. ఇవి నన్ను మరియు నా కుటుంబాన్ని పట్టుకోవడానికి మరియు నా తీర్థయాత్రలు.

పిల్లలందరూ నాకు మరియు వారసులందరూ పిల్లలందరూ నాకు మరియు నా తీర్థయాత్రలు తీర్థయాత్రలు కాబట్టి నేను తీర్థయాత్రలు చేయడం ప్రారంభించాను. నేను నా తీర్థయాత్రలు అయితే నేను ఎక్కడికి వెళ్తాను అని అడిగితే నేను ఎక్కడికి వెళ్తాను అని అడిగితే ఇవి నా తీర్థయాత్రలు అని చెప్పండి.

Bangalore
25-7-25

38118

D. 1084/36

No. 2235/1

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE,

Mysore 11. 3. 1926.

GENL. & REV. SECTT. G. D. SECTION. Br. R 13 MAR. 1926

MUZRAI SECRETARIAT 789 13-3-26

Petition, as shown below, to His Highness the Maharaja is transferred to the Secretary to the Government of His Highness the Maharaja of Mysore, Revenue Department, Bangalore, for disposal.

Chm. 1/5

By Order,

No. 789 of 1925-26

for Private Secretary
to H. H. the Maharaja of Mysore.

OFFICE OF THE PRIVATE SECRETARY
9 - MAR 1926
TO H. H. THE MAHARAJA OF MYSORE

శ్రీ సిలుంగర్ శ్రీమతి యు రా. సుబ్బాంగారు ఇనాం పట్టాదారులు బెంగళూరు

బెంగళూరు బ్రహ్మాంగారికి—

రుం సిలుంగర్ శ్రీ అప్పాంగర్ ఇనాం మరి రేకుల్ల పట్టాదారులు గ్రామ పట్టాదారగా మల్లసోజిగర్ శ్రీ అప్పుదేవ్ మీద యుదిక్షా మాడి మాంద్రి పుర్తు ఇరవయినేళ్ళు బరదు మీంద అభ్యర్థి—

నమ్మ గ్రామపు ఇనాం అగి దరగస్థి జాంగల్ పట్టాదారర్తి ఇదరి దరగస్థి నీఖరి విచారవాగి తుంబుంగర్ ఈ బరగే డి.ఎ. బుకారీ మీద మస్తిసాదీ బరవరు నమ్మ గ్రామద శ్రీ దయమాడి ఇదు కుంది పిలిసలు శ్రీ శ్రీ అప్పుదేవ్ వీరర్ శ్రీ జాన్ మాంద్రి ఎంబువరన్ను మీద నీజవాగి పిలిసలు సాధ్యవిల్ల రగేదు సద్రి దరగస్థి సమంధపడ్డ శ్రీ అప్పుదేవ్ మీంద యుదిక్షా మాడి మాంద్రి యుంబువరిగె దరగాదారు మీద నీజవాగి పిలిసద్దాగి నోడిదరు సాగి (ముంబరాయ శెమీఉ సర్వాధికారి) బరదు మీలే కంద శ్రీ అప్పుదేవ్ మీంద దిక్షా మాడి మాంద్రి ఎంబువరిగె దరగాదారు మల్లసోజిగర్ నాగి నోడుత్తిరువుదు దరగస్థి.

ఈ దరగస్థి శ్రీ అప్పుదేవ్ వీరర్ శ్రీ జాన్ మాంద్రి యుంబువను సాంగర్ నేరవేరిసలు మంబరాద 14. గా. శ్రీ నివాస్ అయంగార్ శివరల్లి నమ్మ జిల్లెయ పుర్తు దరహాలదిందలూ దరగాదారు మల్లసోజిగర్ పిలిసి నమ్మవంశ్రీదల్లి యేనాదరు పిలుంగుళిందు తిరిగి పుర్తు నమ్మ మనసు అల్లి దరగాదారు మల్లసోజిగర్ శ్రీ అప్పుదేవ్ మీంద దిక్షా మాడి మాంద్రి పుర్తు నమ్మ వంశద పట్టవు కేరెయ కాలువెగళు 26 వర్షదిం దా దరగాదారు మల్లసోజిగర్ పిలిసదన్నువుదు తిలిసిరువుదు కుంది తుర్తిగె తుంబు 61 డి.ఎ. బుకారీ దిక్షా మస్తిసాను పిలిసిద్దే అంద మల్లవేండు బోరెయవరు గి దరగాదారు మల్లసోజిగర్ నోడబేకాగి నోడుత్తిరువుదు ఇదు సాధ్యవిల్లదే విరుద్ధ మాడిరువుదే ఎందు అవిరోధవాగి తిలిసిద్దేను శా 25-4-1 రల్లి రేగెయ కేడు ఆర్ డర్ బోళలు నిల్లిసి తిలిసిరువుదు రిందాగి ఆర్ డర్ ఆప్పుదల్లి ఈ అగదే ఇదుదే నువుదు ఆర్ డర్ బోళలు నిల్లిసి తిలిసిరువుదు 10-11 తింగళు ఆగువుదిల్లవెంబుదు తిలిసువుదాగి ది ఆర్ డర్ బోళదే నిల్లిసి తిలిసిరువుదు తిలిసిదరు అల్లి

మన దరగా పనుందవాద సుభ కార్యక్రమాలు నత్తనడకలు రుం
బాంకేలు ఎరియలు గాలు నత్తప్రాయంగా ఉంది రాపు నత్తనడకలు
మీటింగు ఇచ్చి రుం కేంద్రాలు ఈ ఇంకా B.L యం గా ఉన్నవి కాబట్టి
బీఎమ్ గారి గ్రామీణ పరిస్థితి గురించి తరచుగా ప్రశ్నించినారు
25-4-25 రోజున మన దరగా మ్యాప్ నోటీసు విచారణ వాదనలు జరిగిన
తీర్పు తరువాత తెలియచేయగలరు కోరారు. సదరు ఇంగ్లీషు
రవాణా కు సంబంధించి అప్పీలు లేదు అని గౌ॥ తహశీల్దారు గారికి తెలియచేయగలరు
గ్రామము

మేనేజర్ సయ్యద్ నజీరుద్దీన్ బాదుషా
మ్యాప్ నోటీసుదారు

తేది 4.3.25

(2) సయ్యద్ ఖాజా మియా

(3) సయ్యద్ రౌషన్ పీరాన్ సాహెబ్

సదరు యస్ యస్ తేదీ పి॥ రా॥ (4)

Syed Mohadeen Batcha of Kasaranum Village, Tumkur Taluk prays that orders may be passed early on his appeal against the Tumkur District order removing him from the mukhtaryship of the Dargah. The case was heard on the April 1925. Orders have been reserved.

మైసూరు శాసనమండలి సభ్యులుగా
K.R. శ్రీనివాసయ్య ఇంగార్ శాసనసభ
సభ్యులు ఇచ్చిన

రుజువులు

పత్రికలు కాల్పుల్లో ఇటీవలి శ్రీనివాసులు గారు దరఖాస్తు దరఖాస్తు
శ్రీయుత్ మీర్ అహ్మద్ ఖాన్ మంత్రి సర్కారు వారు ఇచ్చిన
సమాధానం

నన్నూ నా సంస్థనూ ఇటీవలి దరఖాస్తు కారణంగా
నిద్రపోకుండా చేయడం విచారకరం. రుజువులు తగినవి
కలిగి ఉన్నవి. శ్రీ సాహెబ్ సాహెబ్ నన్ను నా సంస్థను
నిరసించడం శ్రీ అహ్మద్ మీర్ ఖాన్ బహదూర్ మంత్రి
మేనేజర్ పదవి నుండి తొలగించడం దరఖాస్తు
సమర్పించిన కారణంగా శ్రీ అహ్మద్ మీర్ ఖాన్ బహదూర్
నన్ను దరఖాస్తు చేయమని కోరారు. నేను
(మైసూరు రాష్ట్రం) మీటర్ వర్షాన్ని భరించడం మీద
మీర్ ఖాన్ బహదూర్ మంత్రి అయ్యారు. నా
దరఖాస్తు చేయడం.

ఆ దరఖాస్తు శ్రీయుత్ మీర్ అహ్మద్ ఖాన్ బహదూర్ మంత్రి
నన్ను నా సంస్థను నిర్మూలించడానికి ఉద్దేశించిన
జరిగింది నన్ను సంస్థను తొలగించడం దరఖాస్తు
సమర్పించిన నన్ను మరియు నా సంస్థను
పాషా మీర్ అహ్మద్ ఖాన్ బహదూర్ మంత్రి
దరఖాస్తు చేయడం కారణంగా 26 సంవత్సరాలు
దరఖాస్తు చేయడం నన్ను మరియు నా సంస్థను
రుజువులు కాకుండా నా సంస్థ
అంతరించిపోయింది. నా సంస్థ
నిర్వహించబడుతోంది. దరఖాస్తు శ్రీ నా సంస్థ
ఇదే కారణం వల్ల రుజువులు
తీసుకోబడ్డాయి కాబట్టి 25-4-25 న
నోటీసులు జారీ చేయబడ్డాయి

10-11 రోజులు ఉపవాసం చేసి తరువాత పారణ చేయండి
ఆరోగ్యకరమైన జీవితానికి రోజుకు రెండు సార్లు

నిత్య ఆరోగ్యకరమైన జీవితానికి రోజుకు రెండు సార్లు
గ్రామ పంచాయతీ సంక్షేమం దృష్ట్యా పంచాయతీ కార్యదర్శి గారు పలు
సార్లు రుజువు చేసుకుంటూ వస్తున్నారు కనుక పంచాయతీ పాలకవర్గం
తీర్మానం మేరకు పంచాయతీ కార్యదర్శి గారిని
వి.ఇ. అనుమతి పత్రం ఇచ్చి పంపించడమైనది
కనుక పంచాయతీ కార్యదర్శి గారిని తేది 25-4-2500 లోపల
పంచాయతీ సమావేశానికి విచారణకు రమ్మని నోటీసు
పంపుట జరిగినది కనుక మీరు తప్పక హాజరు పరచగలరు

ఇట్లు పంచాయతీ సర్పంచ్ గారు మరియు పంచాయతీ
పాలకవర్గ సభ్యులు తీర్మానించినది —

(1) పై నుండి శ్రీ మీ అందరు పంచాయతీ శ్రీ మద్దిపాటి రాంబాబు
బదిలీపై G.C.S. J. G. B. కు వెళ్లినందు

(2) పై నుండి శ్రీ మీ అందరు గా నిలవాలని కోరుతూ
సంతకాలు చేయగలరు —

(1) మెంబర్ సయ్యద్ నూర్ ఉద్దీన్ బాషా తాహిర్
తేది 4.3.26 మల్లవల్లి

(2) [illegible]

(3) సయ్యద్ రోషన్ పీరాన్ తాహిర్

(4) [illegible]

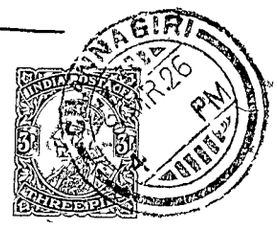
శ్రీనివాసరావు గారి మీద ఉన్న శ్రద్ధ వల్ల మద్రాసు గవర్నర్
జార్జ్ పంచమ్ వారి బహుమతి G.C.S.I. G.G.B.E

శ్రీనివాసరావు

శ్రీనివాసరావు గారి మీద ఉన్న శ్రద్ధ దీపాల్లో బహుమతి పొందిన
పద్యాలు

దీని నకలు

నాకు కేటాయించిన నకలు మాత్రమే



Two Covers

Before the Government of His Highness the Maharaja of Mysore.

Muz Appeal No. 1 of 1924-5.

Appellant.	Vs.	Respondent
Syed Peer Gayab Sha Khadri.		Syed Mohiuddin Badsha Khadri.

Subject.

Appeals against the Muz Comrs. order in the matter of the management of the Darga in Kesavanadu Village, Tumkur Taluk.

16. Enclosures 3 fls.
Muz 201-24-6.
Dy 6th July 1926

Order

The case was finally heard on 25th April 1925, ~~when both~~ ~~and both~~ parties were present with their Advocates Messrs B. N. Vijayadeva, for the Appellant & S. Narayana Rao ~~and~~ for the respondent. ~~Vijayadevaiah for the~~

2) The question of the mismanagement of the Darga at Kocarmadagu and its endowments has been the subject of frequent complaints to Government and has come up before them a number of times.

3) So far back as 1881, the local cess payable to Government in respect of the Inam village having fallen into arrears on account of dissension among the Hakdars, the village was ordered to be attached by Government. Subsequently, on a reference being made to Government by the Deputy Commissioner of Tumkur in August 1883, reporting the death of four of the five Managers that had been previously appointed for the Darga and recommending the appointment of Syed Abdul Rahim Sha Khadri and Syed Alim Padsha Khadri as joint Managers and the restoration of the village to the shareholders, this proposal was approved by Government in their order dated 21st August 1884. These two persons soon fell out with each other and one of them having died the other Syed Halim Sha Khadri was, on the recommendation of the Deputy Commissioner, appointed as sole Manager by Government in Government Order dated 22nd May 1889.

4) In 1893 there was a report from the Deputy Commissioner that this person had not been managing the institution and its endowments satisfactorily, whereupon the Government, in their order dated 22nd July 1893, approved of the Deputy Commissioner's proposal to appoint Khadar Badsha Khadri as Manager, with the direction that he should submit monthly accounts of receipts and disbursements of the Darga to the Amildar who would exercise the same supervision over the institution as he did over other Muzrai institutions in the State. This did not however set the matter at rest, for there was a report again from the Deputy Commissioner in 1906, stating that the Institution and its endowments were being very badly mismanaged and there was no competent person who could be appointed as Manager, and recommending that the management of the institution might be taken over by Government. This recommendation was approved by Government in their order dated 8th December 1906.

Notwithstanding the clear direction contained in the above order of Government that the Institution with its endowments should be taken under Government management, it ~~would~~ appears from the record, that this order has practically not been given effect to till now and that one or other of the contending parties among the Hakdars had been allowed to continue all along as Manager, with the result that disputes have again arisen among them as well as complaints of mismanagement against them.

In his order under appeal, the Huzrai Commissioner has, on the report submitted by the Deputy Commissioner with his letter dated 6th/10th November 1924 recommending the appointment of the Sunni Respondent Syed Mohiyuddin Sha Khadri as Manager, directed that the management of the lands will be kept separate from that of the Darga that, for the latter, a set of Dharmadarsis or Nazarine Gukoffs should be appointed once in three years by election from among the devotees of the Darga and that, for the management of the lands, arrangements may be made so in Government villages, by appointing a Patel who will look after both the Revenue and Police duties in the village. With reference to this order, it has been reported by the Deputy Commissioner in his letter to the Huzrai Commissioner dated 27th/31st ~~December~~ Jan. 1925, that an election was held on 2nd January 1925, in accordance with the Huzrai Commissioner's order for the election Dharmadarsis, that none of the members of the appellant's party - which ~~found~~ formed a small minority - was present at the election, and that the other party, which was largely attended, elected the respondent, Syed Mohiyuddin Badsha Khadri, as permanent trustee Manager of the Darga and its appurtenances. The Deputy Commissioner has further reported that, the Darga with the lands attached thereto, being a private institution, it is very desirable that its management should be left in the hands of one of the leading elders of the ~~same~~ Saint's family, that the appointment of a Committee to assist the Manager is likely to result in petty quarrels etc., and that, as Syed Mohideen Badsha Khadri had been elected with the unanimous consent of all male descendants of the original Saint with the exception of the appellant Syed Peer Gayab Sha Khadri and a handful of his

followers and as he is the only competent person able to look after the Darga and the lands attached thereto, he may be appointed as permanent sole manager thereof.

Government are inclined to agree with the opinion of the Deputy Commissioner that it is not desirable or practicable in the circumstances of the case to entrust the management of the Darga to a Committee of Kharmedarsis as the functions of such a Committee are generally those of supervision and advice and it cannot be made responsible for the actual management of the institution and the properties.

The management of the institution had so far back as 1906 been ordered to be taken over under Government management, on account of dissensions among the Wakdars and their mis-management of the affairs of the institution. The effect of this order is that while it is open to the local officers to appoint such agency and make such arrangements as they consider desirable for ~~securing~~ securing that the several services in the institution are regularly conducted and that the lands and other properties belonging to the institution are leased out and otherwise disposed of in the best interest of the institution, they cannot divest themselves of the responsibility for the management of the institution by making it over to one or other of the contending parties. As it is reported by the Deputy Commissioner that the counter petitioner Syed Mohideen Badsha Khadri is the person most competent among the villagers to attend to the duties mentioned above, Government approve of ~~his~~ the recommendation to entrust him with ~~his~~ these duties, on the understanding that, so long as the institution and its endowment are under the management of Government, he should be treated not as Manager by right but merely as the Agent of the local Musrai Officer, Amildar, to supervise the regular conduct of the prescribed services in the institution and the disposal of the lands by lease or otherwise to the best advantage of the institution. He will have no power to lease out or otherwise dispose of the lands ~~and~~ or other properties of the Darga without the sanction of the local Musrai Officer and he should maintain and submit a monthly statement of

receipts and disbursements to the Amildar for being sent up to the Deputy Commissioner with his remarks.

The Deputy Commissioner should issue suitable instructions to the Amildar to ensure that the above directions are strictly enforced.

In the circumstances examined above, the appellant's claim to be appointed as Manager of the institution cannot be recognised and his appeal is dismissed.

Revenue Secretary.

To

The Musrai Commissioner in Mysore, with reference to his letter No. C.1050 dated 6th March 1925 returning the records.